



H-A

Attorney Docket No.: 42390P10680

\$ SECTOR

#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

ERIC B. REMER, ET AL.

Application No.: 09/804,673

Filed: March 12, 2001

For: **METHOD AND APPARATUS TO MONITOR USE OF A PROGRAM**

Assistant Commissioner for Patents  
Attention: **Box Missing Parts**  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

Sir:

In response to the Notice to File Missing Parts of Application mailed May 17, 2001, please find enclosed:

(1) a duly executed Declaration and Power of Attorney with respect to the above-referenced patent application;

(2) a check in the amount of \$130.00 in payment of the surcharge of 37 CFR § 1.16(e);

(3) a copy of the Notice to File Missing Parts of Application;

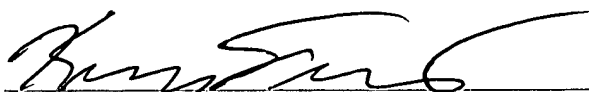
(5) substitute drawings and specification in compliance with 37 CFR 1.84 (if required).

If any additional fee is required, please charge Deposit Account No. 02-2666. An extra copy of the Fee Transmittal is enclosed for deposit account charging purposes.

Respectfully submitted,

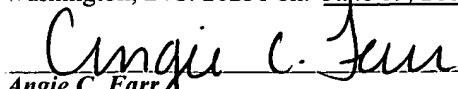
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

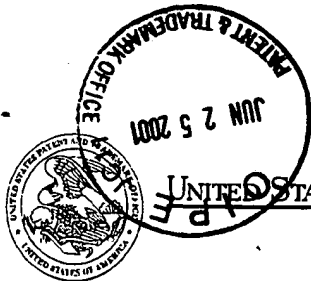
Dated: June 19, 2001

  
Kerry D. Tweet, Reg. No. 45,959

12400 Wilshire Blvd., 7th Floor  
Los Angeles, California 90025  
Telephone: (503) 684-6200

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Assistant Commissioner for Patents, Attention: Box Missing Parts, Washington, D.C. 20231 on: June 19, 2001.

  
Angie C. Farr  
06/19/01  
Date



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/804,673	03/12/2001	Eric Remer	42390P10680

CONFIRMATION NO. 1993

08791

BLAKELY SOKOLOFF TAYLOR & ZAFMAN  
12400 WILSHIRE BOULEVARD, SEVENTH FLOOR  
LOS ANGELES, CA 90025

FORMALITIES LETTER



\*OC000000006085022\*

Date Mailed: 05/17/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

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*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

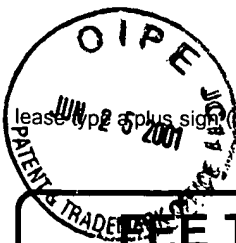
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

06/27/2001 MBERHE 00000096 09804673

01 FC:105

130.00 DP



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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Approved for use through 09/30/2000. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

PTO/SB/17 (12/99)

# FREE TRANSMITTAL for FY 2000

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)

130.00

## Complete if Known

Application No. 09/804,673  
Filing Date March 12, 2001  
First Named Inventor Eric B. Remer  
Examiner Name  
Group/Art Unit  
Attorney Docket Number 42390P10680

## METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to credit any overpayments to:

Deposit Account Number 02-2666  
Deposit Account Name Blakely, Sokoloff, Taylor & Zafman LLP

☒ Charge Any Additional Fee(s) Required Under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

☐ Applicant claims small entity status. See 37 CFR 1.27.

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
		101	710	201	355	Utility filing fee	
		106	320	206	160	Design filing fee	
		107	490	207	245	Plant filing fee	
		108	710	208	355	Reissue filing fee	
		114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$)

### 2. EXTRA CLAIM FEES

Extra Claims	Fee from below	Fee Paid
Total Claims Independent Claims		
Multiple Dependent		

\*or number previously paid, if greater, For Reissues, see below

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
		103	18	203	9	Claims in excess of 20
		102	80	202	40	Independent claims in excess of 3
		104	260	204	135	Multiple Dependent claim, if not paid
		109	80	209	40	**Reissue independent claims over original patent
		110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid	
		105	130	205	65	Surcharge - late filing fee or oath	130.00	
		127	50	227	25	Surcharge - late provisional filing fee or cover sheet.		
		139	130	139	130	Non-English specification		
		147	2,520	147	2,520	For filing a request for reexamination		
		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		
		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		
		115	110	215	55	Extension for response within first month		
		116	390	216	195	Extension for response within second month		
		117	890	217	445	Extension for response within third month		
		118	1,390	218	695	Extension for response within fourth month		
		128	1,890	228	945	Extension for response within fifth month		
		119	310	219	155	Notice of Appeal		
		120	310	220	155	Filing a brief in support of an appeal		
		121	270	221	135	Request for oral hearing		
		138	1,510	138	1,510	Petition to institute a public use proceeding		
		140	110	240	55	Petition to revive - unavoidable		
		141	1,240	241	620	Petition to revive - unintentional		
		142	1,240	242	620	Utility issue fee (or reissue)		
		143	440	243	220	Design issue fee		
		144	600	244	300	Plant issue fee		
		122	130	122	130	Petitions to the Commissioner		
		123	130	123	130	Petitions related to provisional applications		
		126	180	126	180	Submission of Information Disclosure Stmt		
		581	40	581	40	Recording each patent assignment per property (times number of properties)		
		146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))		
		149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))		
		179	710	279	355	Request for Continued Examination (RCE)		
		169	900	169	900	Request for expedited examination of a design application		
		Other fee (specify)						
		Other fee (specify)						

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 130.00

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type)	Kerry D. Tweet	Registration No. (Attorney/Agent)	45,959	Telephone	(503) 684-6200
Signature				Date	03/12/01

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2039.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED